

THE PROFESSIONAL CRIMINAL AND ORGANIZED CRIME

WITH

A SYMPOSIUM ON THE EFFECTS OF
PROHIBITION

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THE PROFESSIONAL CRIMINAL AND ORGANIZED CRIME.

WITH A SYMPOSIUM ON THE EFFECTS OF PROHIBITION.

At a meeting of the Council of the Section of Criminal Law and Criminology held in Chicago December 30, 1927, it was decided to have a report at the Seattle Meeting on the subject of the Professional Criminal and Organized Crime, with especial emphasis upon the relation between organized crime and violations of the prohibition laws.

The following questions naturally arise:

1. What proportion of crimes against property are committed by professional criminals?
2. To what extent and in what classes are crimes against the person being committed by professionals?
3. To what extent and for what purposes are professional criminals organized locally and nationally?
4. To what extent is the whole crime situation and the administration of justice affected by the operations of professional criminals and criminal organizations?
5. What effect has the prohibition amendment and the laws enacted thereunder had upon the crime situation?

These queries were prompted by a belief on the part of the members of the section that there should be made some effort to distinguish between crimes of passion, which like the poor have always been with us and always will be with us, and those crimes which are committed by persons who have deliberately selected lives of crime in preference to earning an honest living. There should be such a distinction made in every approach to the problem of crime, for it seems certain that the professional criminal is the crime problem everywhere.

At the outset we were confronted with the fact that there are practically no criminal statistics available from which the crimes of professional criminals could be separated from the general run of felony cases; nor was it possible to get data on the specific crimes of major caliber which could be traced to members of organized bands of criminals, except in a few instances. For example, the question of what is gang murder is

often a matter of opinion, and even the police records in the larger cities fail to show with any degree of accuracy the proportion of murders committed by gangsters. When one speaks of professional criminals, it may naturally be inferred that first offenders are excluded, but in determining who is a first offender we again encounter the paucity of adequate criminal statistics. The mere fact that an offender is youthful may no longer be relied upon to place him in the class of first offenders, for many of the boldest and most dangerous of present day criminals are young in years but old in crime, with a background of truancy and juvenile delinquency in early youth. We will never be able to know with any degree of certainty who are first offenders until we have adequate bureaus of criminal identification and statistics established throughout the country. And until we do have such means of identifying habitual criminals from first offenders, the courts, prosecuting officials and parole and probation officials will continue to be handicapped in their efforts to deal justly and wisely with those who come before them.

While the professional criminal, himself, presents the real problem of crime in this country, that problem is made much more difficult by the fact that in some of the larger cities they have organized under capable leadership, amply financed, with powerful political affiliations and able counsel.

This is where the prohibition amendment and laws enter the picture.

The underworlds of the larger cities have been tremendously strengthened by the manufacture and distribution of intoxicating liquors. The immense profits derived from this source have become the backbone of criminal organizations in many of these cities. Moreover, the evidence is convincing that they do not confine their operations merely to violations of the liquor laws themselves, but commit all manner of other crimes. Official corruption and alliances between political manipulators and the underworld result in demoralization of the law enforcing agencies in practically every place where such organizations have become strong.

A thorough examination was made of practically all available statistics on crime in each of the states, including reports of

official and citizen Crime Commissions and other investigating bodies. Statistics in some states attempt to show the number of crimes generally attributable to professional criminals, such as robbery, burglary, larceny, automobile thefts, receiving stolen property, and murder committed by gangs and in hold-ups. "Statistics, however, are utterly valueless in appraising the effect of organized gangs of criminals upon the whole situation. In only one place was found any comprehensive record of the relation of the violations of the prohibition laws to organized crime, that being the report on Organized Crime prepared by the American Institute of Criminal Law and Criminology for the Illinois Association for Criminal Justice, the advance sections of which have only recently been completed. Such statistics as were available have been utilized, but it was necessary to draw upon the opinions of officials and others in the larger cities of the country, for information concerning the matters not susceptible of proof by available statistics.

The Chairman of the Section corresponded with governors, attorneys general, local police and prosecuting officials, and editors of important newspapers of cities of one hundred thousand population and over in the various states. From all these sources a large amount of information was elicited, some of which was perhaps not as accurate as it might have been, and in a few instances the information given was obviously colored by the prejudices and interests of the writers. The prohibition angle is highly controversial and officials generally were found somewhat reluctant to give out any information or express any opinions. In a number of instances, however, very frank expressions were given by local police and prosecuting officials, state and federal, and almost without exception the United States District Attorneys consulted were not only well informed but frank and helpful in analyzing the situation in their respective districts. Out of this mass of communications have come some general trends which will be discussed.

Taking up the question of the operations of professional criminals as distinguished from the crimes of first or petty offenders and those committed in the heat of passion, we find the Crime Commission of New York State on record with this statement

taken from page 101 of the report of the Commission, being legislative document No. 94, as follows:

The major crimes most commonly committed in the State of New York are to a great extent to be attributed to professional criminals. The crime problem then is not the problem of the occasional criminal, nor the crime committed in passion, nor the crime committed by a defective. The body of major crimes in this State are committed with deliberation and with the specific purpose of taking property by an act of violence.

In the Missouri Crime Survey (1925 and 1926) it was established that well over fifty per cent of all major crimes committed were of the class generally committed by professional criminals. In Chicago the survey of 1927-28 by the Illinois Association for Criminal Justice established the fact that seventy-eight per cent of all property crimes were those of professional criminals; in addition to which it was found that nearly one-third of the murders committed in Chicago in 1926 and 1927 were professional crimes.

A canvass was made of officials and others thought to be well informed, in all cities of one hundred thousand and over, requesting data on the proportion of certain crimes being committed by professionals who were designated as persons largely dependent upon criminal pursuits as a means of livelihood, as distinguished from the first or petty offender, and omitting crimes committed in the heat of passion and by defectives.

The following results are noted:

Murder.—Reports from 19 cities show an average of 26% professional crimes, ranging from 55% in some cities to 1% in others.

Robbery.—Reports from 31 cities fix the average of professional crimes at 56%, in many of them the rate reported being over 90%

Burglary.—Reports from 28 cities show an average of 49% of such crimes committed by professionals.

Larceny.—Omitting petty larceny and including only the felony offenses, it was found that the average of professional crimes of this nature was 41.4% in 29 cities. (These figures do not include thefts of automobiles.)

Automobile Thefts.—In the larger cities, which gangs of automobile thieves find best suited to their operations, the reports indicate a large percentage of professional offenses. Arrests and prosecutions under the Dyer Act, however, include a surprisingly large number of youthful joy-riders who take cars for temporary use. From 29 cities the reports show an average of 34.9% of automobiles stolen by habitual thieves.

While the number of automobiles stolen throughout the country in the course of a year is tremendous, the enactment in recent years of state and federal legislation regulating the licensing and transfer of motor cars is resulting in the recovery of a very large majority of

stolen cars by police. On the other hand, only a small proportion of the thieves are ever apprehended by the police and when arrests are made it seems to be the general policy to be lenient with the criminal when the car is recovered.

Prosecutions in the Federal Courts under the National Motor Vehicle Act are apparently more effective. The last annual report of the Attorney General shows 1786 indictments returned and 1617 convictions secured, the sentences aggregating 2798 years. The value of automobiles recovered under the Act is placed at \$11,940,000.

Receiving Stolen Property.—Reports from 16 of the larger cities indicate that professional receivers of stolen goods are operating in each, but that they are hard to catch and harder to convict. Their apprehension is difficult because the automobile truck provides a quick method of removing the stolen goods far from the scene of the theft where they can be mingled with other goods and readily disposed of. It is difficult to convict the "fence" because of inability to prove that he knew when he bought the goods that they were stolen, which in most of the states must be shown to make : *prima facie* case.

The criminal "fence" or receiver of stolen goods is becoming recognized all over the country as one of the most successful of professional criminals. His "racket" not only is productive of so-called "big money" but is attended with less risk than probably any other.

He encourages and promotes crime by purchasing the stolen property. Often he provides defense funds and directs the operations of bands of thieves. His ostensible business is usually a blind for his real business of professional criminal. His methods really amount to nothing more or less than employing thieves to steal for him; moreover, he does not limit his activities to buying and disposing of goods actually stolen, but handles the stocks of business crooks who fail with concealed assets. Therefore, he becomes the greatest actual menace to trade and commerce.

This type of professional criminal is receiving the attention of many nation-wide associations of business men. The National Crime Commission has an eminent committee at work on the problem of federal legislation to curb the interstate operations of organizations of "fences" and thieves. The total amount of goods handled by "fences" last year is said to have been more than a half billion dollars. We merely mention these facts to direct the attention of those interested to the importance in the whole field of professional crime of the habitual receiver of stolen and fraudulently procured goods, and the necessity for state and federal legislation to better insure his successful prosecution. Such legislation is now pending before Congress, with the backing of numerous national and local organizations of business men, and deserves the unqualified endorsement of the American Bar.

It was to be expected that the prohibition angle of this question, being so prominently before the country, would receive more attention at the hands of our correspondents than any other. There are sixty-eight cities in the United States having a population of one hundred thousand or more, according to the census of 1920. We received no replies from three states, each of which has one city in that class. From all of the other states

containing cities of the class mentioned, we received replies. The total number of replies received were 103, but only 70 of them contained any usable information. These were well distributed among the various cities.

Among others this question was asked: "Are there any organizations of criminals in your city or state for the purpose of manufacturing and distributing intoxicating liquors?" Out of 54 replies, 29 answered in the negative and 25 in the affirmative. The negative answers were, however, as a rule, qualified by the statement that liquor is being manufactured and distributed in the cities, but that there was no evidence of organizations of criminals for that purpose.

In answer to the question, "Is it true of your city, as in some others, that liquor, gambling, and commercialized prostitution are conducted largely by the same persons?" there were 29 negative answers and 18 affirmative; seven answers were mixed, in this, that it was stated in some instances liquor and gambling were connected and in others that commercialized vice and bootlegging went hand in hand with each other, public gambling being conducted separately from other forms of vice. This was a total of 54 replies.

The question: "What effect, if any, do you find national prohibition has had upon the crime situation in your city?" brought 52 replies; four of which stated that it resulted in a decrease of crime; four that the effect was good; eight that there was no effect; five that prohibition had not affected the criminal situation to any noticeable extent; three that it had resulted in a general increase of graft and corruption and disrespect for law; 16 that it had resulted in increasing violation of the law; ten that there was no noticeable increase in crime generally but that prohibition had made many violators of the law itself, and two that prohibition had made criminals more vicious.

They were asked whether those who opposed the Volstead Act carried their opposition to the point of sanctioning the wholesale manufacture and distribution of liquor by criminal organizations employing gunmen to carry on the business, and sixty-three answered in the negative and five in the affirmative.

Sixty-seven replies were received to the question, "Is it your experience that the forces of organized crime have been strength-

ened so that major crimes have been increased in your city as a result of the profits made in the illicit liquor trade? If so, how?" Fifty-nine answered in the negative and eight in the affirmative. Many of the negative answers were qualified, however, by statements that profits from the liquor business are used only to strengthen the organizations of bootleggers so far as the violations of the liquor laws themselves are concerned.

"Does the influence of organized vice, bootlegging, gambling, and prostitution play any significant part in the political affairs of your city?" This question was answered in the negative 49 times and in the affirmative 21 times.

Sixty-seven answers were received to the question: "Do the same influences interfere with the processes of administering justice?" fifty-one of which were negative and only sixteen affirmative.

As already stated, many of the negative answers of officials were obviously influenced by the desire to make a good showing for their own administrations. Most of the replies of this character were directly in conflict with statements of others in the community, who appeared to be less susceptible to that influence. In a large majority of the cities the replies from all correspondents were in agreement on the proposition that the liquor business was not organized, was not particularly influential in local politics, and had no effect upon the criminal situation.

On the other hand, many of the answers were unanimous to the opposite effect and these were mainly from the larger cities in the border states or cities so close to the border as to make access easy to the flood of liquor across the borders, although some of the large interior cities seemed to have just as many organizations of bootleggers as the others and therefore just as much crime; for wherever the bootlegging industry is found to be flourishing, there is usually a serious problem of crime.

We wish to warn against a misinterpretation of the import of this paper. We state clearly that in a large majority of the cities from which we have received information prohibition is not responsible for the present serious professional crime problem. Most of our replies report that no such alliance exists. We do however emphasize the minority of sore spots where such a condition does exist. This is not to report a general diseased con-

dition but to throw the light upon the comparatively few centers of infection.

From *these* centers the canvass produced confirmation of what seems to be generally known: that in most of these larger cities the local sentiment is hostile to the prohibition amendment and the laws enacted thereunder; that there is an active market for any kind of liquor that can be had; that local public officials relying upon that sentiment are not only tolerant of flagrant violations, but in many instances openly sanction them for their own political advancement; that bootleggers are not only tolerated but encouraged by otherwise good citizens, who rely upon the criminals for their supply of liquor; that in the larger cities the bootleg industry is generally controlled by the underworld and operated by desperadoes and that they use the enormous profits derived from that business to influence elections and control politicians and officials; and that the enforcement of the prohibition laws is often in the hands of appointees who are not only hostile to the laws but are in league with organizations of bootleggers. It is also indicated that in many instances liquor manufacturing and distributing, and gambling, and vice are controlled by the same groups and that they hire gunmen to protect them from competitors, and that these gunmen not only engage in conflicts in which they kill each other, but that they commit other murders, hold-ups, and a variety of serious crimes as well.

These conclusions are well supported by the information at hand.

From *Oakland, California*, it is stated by a prominent official who is in a position to know the facts, that the manufacturing and distributing of intoxicating liquors is an organized business in that community, and that in most of the communities in that section, including the cities of Oakland, Berkeley, and Alameda, the same persons are interested in the liquor traffic, gambling and prostitution. He goes on:

A tremendous amount of graft permeates our government, from the federal government to township government, as a result of the liquor traffic. This has been observable to me during the past eight years of service as a public official. I was not engaged in this work before prohibition and cannot speak from personal observation as to conditions during that period. I do believe, however, that the attention of the American Bar Association should be directed toward the corruption which the liquor traffic is bringing into our government.

From *Los Angeles, California*, it is reported by a prominent public official:

The opportunities for large monetary returns in the sale and distribution of liquor has had the effect of increasing largely the number of violators of this class. . . . We occasionally have instances where attempts are made by the bootlegging interests to interfere with the administering of justice. This has been attempted by their endeavoring to get witnesses to leave the jurisdiction before trial and sometimes by threats of intimidation of witnesses.

From *San Francisco, California*, it is reported:

We have here persons who are suspected of being organized for the illegal manufacture and distribution of intoxicating liquors. They generally engage in rum running adventures. Their organizations are disrupted from time to time by the activities of the federal and state officers. . . . It is not true in this city that liquor, gambling, and commercialized prostitution are conducted largely by the same persons. . . . Our experience has, of course, proven that in many instances the so-called "bootleg joint" is used as a rendezvous for criminals who conspire to commit major offenses, such as burglary and robbery, but instances such as these are isolated and the cause is readily removed by proper police activity.

From *Denver, Colorado*, it is reported by an authoritative source:

I do not believe there are any organizations of criminals in Denver for the purposes you mention. Most of these crimes are committed by individuals. In the manufacture and distribution of intoxicating liquors, of course, there are those who have their employees—if such may be called an organization of criminals. Gambling and vice is largely a matter of individuals rather than organizations.

In my opinion national prohibition has assisted the local authorities in enforcing prohibition. We had prohibition in Colorado before the National Act. I was in office at the time our state prohibition law became effective as to Denver and immediately crimes of violence decreased about forty per cent. I have been a close observer of the effects of prohibition and am satisfied that prohibition at its worst is very much preferable to the old way. Our merchants advise bills are better paid, homes are better furnished, money that went into saloons is going into automobiles, better home surroundings, and in every way there is improvement. According to Collier's survey the prohibition law is better enforced in Denver than in any other large city and while a good deal of moonshine is being sold, it is inconsequential to the amount sold in saloons which made a drain on the people of \$25,000 per day. The effect on crime has been noticeable and that crime has been lessened. Our two criminal courts in Denver are not working over one-half the time, and in my opinion, largely due to the fact that an honest endeavor is being made in this city to enforce the prohibition law.

We have a report from *New Haven, Connecticut*, from a newspaper man of fifty years experience in that city, who has in the past held many public positions of importance and is now a

prominent state official, stating that liquor, gambling, and commercialized prostitution in that city are conducted largely by the same types of persons rather than by the same persons, and that offenders are largely of foreign birth or extraction. In his opinion "the national prohibition law has lowered respect for law and order, and made violation an adventure among old and young. Its general influence has been deplorable and widespread."

An interesting contribution is made by an official of *Hartford, Connecticut*, indicating the key position in law enforcement, held by the state's attorney. He says:

The proportion of crimes committed in this city by professional criminals is almost negligible. . . . We are fortunate in having a state's attorney in this county who is absolutely honest and fearless. He has held the position for twenty years and is so well known that the professional criminal rarely plies his trade in this county. . . . National prohibition has not increased crime in this city, excepting, of course, in violations of the liquor law itself. I believe it has given us a worse type of drunkard than we ever knew before.

A federal official in *Washington, D. C.*, reports that liquor and gambling are largely conducted by the same persons in that city and that in his opinion, based upon his experience, the prohibition law has made criminals out of otherwise honest citizens. Inasmuch as the above was the only reply received from the National Capitol, the following press dispatch from Washington by the Washington correspondent of the *Chicago Tribune*, published May 21, 1928, while probably exaggerated, is offered for what it may be worth as a sidelight upon the situation existing there:

Happy, happy drinkers everywhere in the resorts frequented by the night lifers of Washington. Nowhere does the joy water flow more freely than right here at the seat of prohibition enforcement under the very noses of the head snoopers in the treasury department and the vigilantes of the Anti-Saloon League.

The night life of other cities may surpass that of Washington as to quantity but not as to quality. Where else, pray you, will you behold high officials of the government, including prohibition enforcers themselves, mingling with the happy drinkers around the tables, fringing the dancing floor in the dimly lighted night clubs and merrily passing the hip flask? If the police of the National Capitol were to back a flock of patrol wagons up to any of the night clubs in the region and pinch the place, they would carry away a human aggregation constituting a pretty fair cross section of the congressional directory, Who's Who, and the social register; and there would be more of an upheaval in official circles than there was when the police inadvertently seized a truck load of booze belong-

ing to a high administration official last year and just managed to keep their jobs by restoring the liquor. . . . And if you really want to take the lid off completely you hop into your car and beat it to one of a dozen roadhouses de luxe across the District of Columbia line in Maryland.

The situation in *Illinois* is such as to call for special comment. Perhaps the most authentic of the many reports from that state is from a prominent federal official in Chicago, who is peculiarly well qualified to speak with authority. He states:

There are definite organizations of criminals interested in the manufacture of intoxicating liquor. All of the larger groups have a desperate type of criminal, and all of them have gunmen who protect their distribution from so-called hi-jacking. In many instances liquor, gambling and commercialized prostitution are together. Gambling in form of slot machines is present in nearly all places where the National Prohibition Act is violated. The larger, expensive gambling places, I am reliably informed, permit no liquor so that they will be safe from molestation by federal authorities.

National Prohibition has brought large sums of money into groups of lawless individuals, which has given them power. This money in a practical way, we find, is used as follows: To engage competent counsel and to attempt to reach and corrupt government witnesses and government officers, and attempts on the part of corrupt politicians to use influence. Where gangsters are involved, juries are sometimes fearful of bringing in verdicts of guilt. . . .

Murder statistics have been greatly increased by violence of gangsters among themselves. There has never been in this county successful prosecution of gangsters for killing each other. The mistaken idea is current that they confine their killings to themselves. This is not true. They kill people suspected of giving information to the Government and they kill police officers, and lately I have come upon information that they have been extending their operations to narcotics. In my judgment it is only a question of time until they will resort to kidnaping for ransom, and while I am not in a position to prove this statement, I have a definite impression that they commit many robberies.

"Organized bootlegging and gambling play a decided part in the politics of this city. This influence has become so notorious that it was utterly repudiated at the primaries held on April 10. This comes about by small organized groups able to deliver substantial blocks of votes, who trade with men seeking political office for favor.

"This same influence interferes with the process of administration of justice. . . . It makes itself felt by terrorizing witnesses and by attempting to use political influence."

This seems a fair résumé of the situation in that city. To it may be added that during 1926 and 1927 there were 130 gang murders committed in Cook County, practically all of which were the result of liquor and gambling gang warfare. Recently the gunmen employed by these liquor manufacturers and distributors have entered many lines of legitimate business under

the leadership of the so-called "liquor barons." The Secretary of the Employers' Association of Chicago recently stated, "During the last six months there have been presented to this Association 98 separate racketeering schemes of one character or another for investigation." All of these businesses are controlled by gangs who compel the owners to support them by payments of so-called "dues." The "king of the bootleggers" in Chicago was recently taken into a large corporation engaged in the cleaning and dyeing business, for the announced purpose of enabling that business to compete with an organization of similar businesses which it was claimed had been attempting to drive the company out of business by the use of gunmen. The principal owner of the business made this statement when his gangster partner was taken in: "I now have no need of the state's attorney, police department, or the Employers' Association. I have the best protection in the world."

The introduction to the report of the American Institute of Criminal Law and Criminology for the Illinois Association for Criminal Justice, prepared by Judge Andrew A. Bruce, vice-chairman of this Section and president of the Institute, contains this statement:

Gambling, prostitution, and liquor selling can only exist on a profitable basis by the consent of the officials. But the bootleggers, gamblers, and the operators of commercialized vice houses cannot depend upon the regularly constituted agencies of law for protection from competitors in their own class. The courts are closed to them. The stakes are large, running into the millions, and supremacy must be maintained not only by official connivance but also by force. Gunmen are necessary to repel the "hi-jacker" and the attacks of rivals, so organized crime from sheer necessity lives by the gun. The syndicate having the largest force of gunmen is best able to enforce its claim to supremacy and in turn is most likely to be favored by the politicians who engineer official protection. Thus, organized crime is presented in its most sinister aspect, as an armed force of desperadoes in the community, carrying on a tremendously remunerative, unlawful business; enforcing their decrees at the point of the gun and with the cowardly bomb; fearing not the law because they have procured immunity; and contemptuous of an outraged public opinion because they believe the people are impotent. It is this condition which has brought the great city of Chicago into disrepute throughout the nation.

The connection between Organized Crime and certain controlling politicians in Chicago seems to be very well established. The present city administration was elected upon a liberal ticket

with a definite promise of a wide-open town, and there is little or no attempt on the part of the local authorities to interfere with the operations of syndicated liquor manufacturing and distribution.

A Judge of the Criminal Court of the city of Chicago made this statement in an address to one thousand business executives on May 13, 1928:

The sources of the strength of organized crime in Chicago and in every large city in the United States is the Volstead jackpot of hundreds of millions of dollars each year. It has attracted the criminal greed of the enemies of government; it has provided the sinews of war. It has banded together the men who make crime a business, and they have levied death upon those who have dared oppose them.

Racketeer government is not an empty phrase; it is a vital fact. To make secure its control, it has sought to make alliances with political parties. Its field marshals have contributed huge sums from their war chests to campaign funds to make men elected to public office responsible to them and responsive to their orders.

If the political leaders of all parties and factions do not drive out of their conferences and councils the leaders of the underworld government, this powerful criminal class will seize control of political leadership and the political leader who dares disobey their orders will be taken for a ride.

The *Chicago Tribune* recently estimated the profits of liquor, gambling, and vice syndicates at seventy-five million dollars per year. On July 10, 1928, liens for more than two million dollars, representing income taxes due the Government, were filed against three Chicago millionaire beer barons by the Collector of Internal Revenue for the Chicago district. The tax was upon profits made in beer selling activities from 1924 to 1927.

The operations of professional criminals and gangsters in Illinois is not confined to Chicago, however. That section of the State contiguous to the city of St. Louis has also suffered materially since prohibition was adopted. Many gang murders have occurred in Madison and St. Claire counties and, in fact, the operations of gangsters in that territory have extended as far as Springfield, the Capitol, where several gang murders have been committed. In the southern part of the State, in Williamson County and vicinity, the Birger and Shelton gangs created a state of terror for several years, until they were broken up by the conviction and execution of Birger and the conviction and confinement of several members of the gang. The principal rev-

enues supporting both of these desperate bands were derived from bootlegging.

During the latter part of 1927, 105 men were indicted in Madison County for violations of the prohibition law, on a charge of authorizing and encouraging violation of the National Prohibition Act. One of them a former police magistrate of East Alton, Illinois, made a statement to this effect appearing in the *St. Louis Star*:

For two and one-half years up to last July, I was the collector of graft and bribe money for a group of Madison County, Ill., officials who squeezed \$159,000 from the bootleggers of that county.

As far as law enforcement is concerned, prohibition may be a failure, but to me and to men like I am it has been a large and unflinching source of income.

In two and one-half years, the Volstead law took me out of a machine shop where I worked for \$30 a week and made me rich. It moved me from a four room frame cottage in East Alton, Ill., to an eight room house.

I believe I can also say that I have not lost the friendship of a single citizen of East Alton.

From an official of the *City of Indianapolis* comes a statement illustrating the usual course of the evolution of recruits to the ranks of bootleggers, "Several who have committed major crimes here seem to have started as hip-pocket bootleggers, then booze runners, then hi-jackers and eventually hold-up men."

A state official of the *State of Louisiana*, writing with particular reference to the situation in New Orleans, states that liquor, gambling and organized prostitution, if not committed in that community largely by the same persons, bear a very close relationship to each other in the sense of supply and demand, between the persons conducting these kinds of business. It is his opinion that national prohibition together with the automobile has increased crime in the larger cities of that state. The state legislature has recently passed a new Criminal Code Bill, which it is hoped will greatly reduce crime in Louisiana. Organized criminals in New Orleans, it is believed, play a very small part in the violation of criminal statutes.

From other sources it is learned that there is a very extensive importation of intoxicating liquors through the ports of that state, which, however, have been fairly effectually suppressed during the past year. One incident is related of a cargo of liquor,

said to have cost the owner in Germany at port of origin approximately \$35,000, which was seized at New Orleans. A check of the contents established the fact that the cargo would have had a retail value after the usual dilution of over one-half million dollars at current rates in the United States.

In *Maryland* there is no state prohibition enforcement law and under a ruling of the Attorney General, the police of Baltimore have nothing to do with the enforcement of the Volstead Act. No arrests are made or cases tried in the city courts, but only in the federal courts. The police commissioner of Baltimore is appointed by the Governor and the city has no voice in its management except to pay the bills. The entire state and city administrations are opposed to the prohibition amendment and the laws enacted thereunder. Race track gambling is legalized. One authority of that city says, "I would judge that 50 per cent, at least, of such crimes as robbery, grand larceny, receiving stolen property, including embezzlement, are due primarily to two causes: (1) legalized horse race gambling, in which the state gets a substantial rakeoff from the pari mutuel machines, and (2) tolerance of prohibition law violation. A recent shortage in the state road funds—a shortage so far placed at \$126,000—is due largely to race track gambling." The proceeds of a recent bank robbery all went to the bookmakers. Bank clerks are frequently "sent up" for embezzlement due to gambling. While the State has no prohibition enforcement law, there is a statute in Maryland applying particularly to Baltimore, that liquor shall not be sold in any public place not licensed. One of our correspondents says in this connection:

There are, of course, no licenses under the National Prohibition law; yet, liquor is sold almost openly in literally many hundreds of places—both the state law and the city ordinances are violated with impunity, due to police acquiescence. . . . The Baltimore daily newspapers encourage disregard of the Prohibition Act and encourage horse race gambling. One might add that the Federal Prohibition Enforcement force has been much, much worse than negligent and incompetent. Conditions in Maryland have been scandalous, and I do not think they are much better at this moment. . . . The forces of *organized* crime have not been strengthened by profits in the illicit liquor trade. There is no necessity in Maryland for *organization* of law violators; the individuals operate almost without police interference, and so do not need to organize for their mutual protection.

In the face of these conditions, which practically everyone agrees exist, reports from the very excellent Baltimore Criminal Justice Commission indicate that major crime has steadily decreased since 1924, except in 1927 when a slight increase was shown, due, it is stated, to some unusual factors such as business depression, unemployment and "the operations of a gang which accounted for quite a few major crimes." The machinery for justice in Baltimore apparently works efficiently and apprehension has been made more certain perhaps than in many other cities of its size. Moreover, 92 per cent of the cases are tried within three weeks of the date of arrest due to the fact that persons charged with felonies may waive a jury and be tried by the court. The vast majority of all felony cases are thus tried, which insures speedy trials.

From *Boston, Massachusetts*, comes this authoritative statement:

My observation is that in our city and state the commercialized and organized type of crime has not been as prevalent as in some other cities. We hear no talk here with reference to the Pickpockets Union or the other alleged criminal organizations that are pictured in story book, plays and newspapers. There is a well-organized underworld type who try to live by their wits, who frequent our sporting circles such as prize fights, baseball games, etc., but my own observation is that they are working on their own and are rarely under the control of the so-called "master mind." Undoubtedly in our city, liquor, gambling and commercialized prostitution go hand in hand. Offhand I should say that national prohibition has helped the situation rather than hurt it. . . . I assume that a large number of our people are opposed to the Volstead Act, but I think their efforts to circumvent it are individual rather than directed by any very large organizations. We have had one or two cases where there seemed to be several men in combination, particularly in the rum-running end of the business. Major crimes have not increased in this city and I have no evidence to show that the profits made in the illegal liquor trade have strengthened the forces of organized crime.

It was further stated that the political affairs of the city and the administration of justice are not influenced to any considerable extent by organized vice. A table of statistics prepared by the Department of Correction, accompanying the statement, indicates that during the past four years arrests for drunkenness have decreased and that there was a substantial decrease in cases begun in the lower courts for all classes of felony crimes against the person and property in 1927 over 1926.

From another source in the same city comes this statement:

I do not think that the Prohibition Law has affected the crime situation in Boston. There is a good deal of talk about how easy it is to procure liquor here. While I have no doubt that it is fairly plentiful, it is by no means as easy to secure as gossip has it. I doubt if there are any really big distillers or bootleggers doing business here. It is mostly in the hands of the small fellows. Juries are taking a more severe attitude toward the violation of the Volstead Act. Three or four years ago acquittals in bootlegging cases were very frequent, but now offenders do not escape so easy. I notice too that the District Attorneys, both state and federal, are showing more zeal in the prosecution of these cases. Boston is undoubtedly opposed to the Volstead Act. But I cannot find much sympathy here with bootlegging and kindred activities. So far as I can see, the illicit liquor business is not closely tied in with other criminal activities.

Reports were received from several sources intimately connected with the enforcement of the criminal laws in *Detroit, Michigan*. There appear to be several very well-defined organizations of criminals engaged in the manufacture and distribution of liquor in Detroit, largely because of its proximity to Canada and the difficulty of effectually dealing with the smuggling of intoxicating liquors across the Detroit River. These gangs are classified by one authority as follows:

1. Importers and transporters who contact with the exporters in Canada and do the actual shipping across the river.
2. Wholesalers who distribute bottled goods in cases to smaller dealers.
3. Manufacturers who operate alley breweries, cutting plants and basement stills.
4. Smaller retailers who peddle liquor in case lots or less.
5. Guards and convoys.
6. Hi-jackers who are recruited from all other groups.

Gambling and vice are said to be constantly under police vigilance and do not make substantial headway in organization. This significant statement is made by the same authority:

The number of drunks being brought before the courts since the advent of prohibition has increased to an astounding degree. The number of such cases has increased more than ten times faster than the population. Blind pigs have been the victims of scores of hold-ups and in many cases the proprietors have refused to make complaint or prosecute. The crime of hi-jacking is, of course, a direct by-product of prohibition. Extortion by enforcement officers, both federal and local, is more prevalent than any of us dare imagine. Blind pigs are the breeding places of criminal conspiracies and the focal points of many crimes of violence.

Notwithstanding these conditions the statistics show that the total number of prosecutions for crimes of all kinds has not ma-

terially increased in the past ten years, taking into account the increase in population.

With respect to the attitude of the citizens of Detroit toward the liquor laws, this statement is made:

I think the ordinary citizen, who has his favorite bootlegger and patronizes him, nevertheless revolts at the idea of armed warfare and the violence among bootleggers. He has no sympathy for the Volstead Law and is perfectly willing without qualms of conscience to have it violated for his benefit and makes no secret of it, but if called on a jury in a hi-jacking case or any other criminal case involving violence or terrorizing and connected with the liquor business, he would not hesitate to convict. In other words, he is quite willing to countenance and even deal with a law violator of this particular kind but he much prefers that his favorite bootlegger with whom he is quite chummy shall conduct his business along peaceful and "legitimate" lines. Violating the federal and state liquor law is quite all right, but this gun play and rough stuff is going too far.

Doubt is expressed that major crimes have been increased substantially as a result of the profits made in the liquor trade, but no doubt exists that certain new types of crime have arisen as the result of the liquor business and that hi-jacking, extortion and bribery of officials are directly attributable to the fact that profits are large and therefore subject to prey.

In a recent mayoralty election in Detroit a direct and avowed plea for the so-called "wet vote" was made by the incumbent mayor seeking reelection and he was overwhelmingly defeated, indicating that the underworld influence, while voting in a fairly solid manner, is not sufficiently strong to control elections. The influence of the bootlegger fraternity upon the administration of justice is the subject of the following comment:

It cannot be denied that bootleggers interfere to a certain extent with the administration of justice. Their activities certainly tend to a lowering of the general morale and to a growing and alarming disrespect for law in general, which effect is subtle but nevertheless potent. Considering the bootlegger himself as a law violator, there is a deep seated inclination on the part of officials in many cases to treat his offense very lightly. This is evidenced by the fact that bootleggers are never required to give bail but are released on personal recognizances; that many of them fail to appear for trial and only a casual effort is made to re-apprehend them; that the courts have stretched the Constitution out of recognizable shape to provide them with immunity from prosecution; that prohibition cases are allowed to accumulate without trial so long as there any other business to attend to, and that penalties assessed upon conviction are about equal to those imposed for disorderly conduct or street fighting.

In 1927 Michigan enacted a new code of criminal procedure, which is relied upon by the authorities of that state, and especially Detroit, as a most effective weapon for reducing the number of crimes committed by organized criminals. It provides for a waiver of jury trials in felony cases, for increased punishment of habitual offenders, for the elimination of almost all of the technicalities in criminal pleading, for the right of the trial court to comment on the evidence and the witnesses, for four days' notice of an alibi defense, and many other outstanding provisions, indicating a determined effort on the part of the legislature to make punishment of the guilty swift and certain.

From *Minneapolis, Minnesota*, it is reported by reliable authorities that "there are organizations existing for the sole purpose of manufacturing and distributing intoxicating liquors, and although several attempts have been made to syndicate these activities with gambling and commercialized prostitution under one head and group, it has not been successful." The bootlegger fraternity is active in elections, retaining clever criminal lawyers to represent them in court and to canvass for votes at election time. It is stated that most of the money raised in political campaigns by some candidates, and in some cases the entire amount raised by political candidates, comes from the organized vice groups of the city, and that the same influence interferes to some extent with the processes of administering justice, by delayed trials, fixing witnesses, intimidation of jurors, and the exercise of considerable influence with prosecuting officers and some of the judges.

From *St. Louis, Missouri*, comes this report: "Most murders in St. Louis, outside the murders of passion, are traceable to gang feuds." The other classifications of crime are attributed to youths, rather than the old type of hardened, professional criminal. The cause is idleness, improper home restrictions and bad liquor, though the police chief is amazed at the number of arrests of sons of "respectable families" for crimes, notably hold-ups, remarkable for their daring and recklessness.

"Success in manufacture and distribution of liquor," says this observer, "is impossible without organization."

The same authority reported his belief that liquor, gambling, and commercialized prostitution are not to any noticeable extent conducted by the same persons.

The question of the effect of national prohibition upon the city's crime was put to the police chief, who declined to answer, saying that the subject was controversial and not greatly sustained in the affirmative or negative by records, but in the opinion of the correspondent prohibition has caused an increase in all branches of crime. The report of the June, 1928, grand jury in the city of St. Louis contained a statement that in the opinion of the grand jury prohibition was responsible for the growth and prevalence of all kinds of crime.

To the question, "Do voters opposed to the Volstead Act carry their opposition to the point of sanctioning manufacture and distribution through thugs and gunmen?" this answer was made by one St. Louis authority: "The average drinking voter manufactures his own beer and wine. A few make whiskey or strong spirits. Other users do not ask the source of supply and would buy whether it was obtained through the services of gunmen or thugs. The average citizen shows no resentment to the use of criminals in carrying on the liquor traffic. This passive attitude establishes the market without which the traffic could not thrive as it does."

From other sources it is learned that there has been a large increase in gang killings during the past year, largely among Italians and attributed directly to bootleg wars. Bombing has also increased materially during the past six months, especially among so-called "racketeers" interested in certain phases of the building trades and in the business of dyeing and cleaning, their operations being similar in all respects to the methods employed by the Chicago gangs.

In the face of serious efforts on the part of the Police Department, the heads of which are inclined to do all within their power to suppress crime of all kinds, the liquor traffic is conducted in rather an open manner, due to the fact that the sentiment is largely against the enforcement of the law and the local prosecutors make little attempt to prosecute such cases. Four or five years ago a very active and influential gang of bootleggers with headquarters located in the county adjoining the city of St.

Louis was accused of all manner of major offenses and was finally broken up only when a majority of the leaders were convicted of mail robbery committed in Illinois and were sent to Leavenworth Penitentiary for twenty-five years each. A great many of the southern Illinois professional criminals have been known to make their headquarters largely in St. Louis.

From *Buffalo, New York*, it is reported that of twenty-two murders in the last yearly period, seven were clearly gang murders, traceable to bootleg or black hand disputes, but no arrests were made. All of the other murders were crimes of passion and were followed promptly by arrests.

Out of eight hundred arrests for thefts, only one of the prisoners were identified as a gangster of importance. The case involved a daylight hold-up of a branch bank. There were numerous other big hold-ups, involving the loss of several large pay rolls, which it is reported were undoubtedly the work of organized gangs and each robbery carefully planned, but no arrests were made.

Commercialized gambling in Buffalo appears to be quite extensive. It is reported that the man who tops the list has operated expensively equipped gambling houses in Buffalo for more than twenty years and has seldom found himself in conflict with law enforcement agencies. Clashes have occurred from time to time between members of different groups of gamblers, but these have been quickly suppressed and operations continue almost uninterruptedly. The gambling clubs are strongly suspected of paying protection to controlling elements in the city administration. In only one instance of definite determination has a big Buffalo gambler interested himself in liquor distribution. Five years ago he financed the deal to bring from Canada a freight car loaded with liquor and collected an organization for the purpose of extensive operations. It was reported that locally important politicians were interested with him. This man has become wealthy and has abandoned neither his smuggling nor his gambling operations, both of which are flourishing at the present time. Following this success, several other groups were organized to carry on the importation of contraband liquor from Canada and their operations are said to have grown to huge proportions, running far into millions of dollars yearly.

One correspondent, closely in touch with the whole situation writes:

At a recent customs service investigation it was reported that about sixty cars of illicit liquor are brought across the international bridge of the Niagara frontier each day. I believe about forty is the correct figure here. Each car carries about \$20,000 worth of liquor at bootleg prices. Seizures are seldom made by the customs inspectors because the entry of liquor contraband is carried on with their full knowledge and connivance.

Organized beer rings have been disrupted because of the inability of the leaders to effect a working arrangement with the present prohibition administrator. The result has been that while the big breweries are selling no finished beer, small operators have grown up in such great numbers that the beer situation is now beyond control of the federal authorities. When the big breweries were operating on a pay basis to the federal authorities, they remained within reasonable bounds and controlled the retail sale.

The big breweries have now switched to the manufacture of syrups, compounds and in many cases just plain "wort" which are sold to fermenters. There is no law prohibiting the sale of beer bases of that class, hence the prohibition administrator is unable to move against them. . . . Output of high power beer in the city of Buffalo alone is estimated by the brewers at about 6000 barrels weekly. Another 3000 is manufactured and sold in the towns and villages in the Buffalo district.

Beer fermenting plants are to a very large extent operated in dwellings. Some of them are in commercial buildings and garages. Neighbors who know of them will not enter complaint to the federal authorities. Seizures are due mostly to quarrels among the distributors. They have no organization and, the brewers not being interested in holding a tight rein on operations, make no effort to interfere. They are interested only in selling their barley malt liquids in just as large quantities as possible. They claim to be wholly satisfied inasmuch as they are paying no graft to the prohibition department and are running their business wholly within the law. The superintendent of one of the big breweries told me there were about 400 fermenting plants in the Buffalo district, ranging all the way from ten barrels to 200 barrels weekly capacity.

Cleaned and good alcohol to a very large extent figures in the Buffalo liquor situation. There are scores of stills in the congested districts of the city, carefully protected by neighbors, and there are many "cleaning" plants. The stills in many cases produce a good grain alcohol much of it made from molasses, potato and grape mash. This finds a ready sale at high prices throughout the territory. It is used for the cutting of Canadian liquor, purchased from the big importers by small bootleggers. Much of the cleaned alcohol is also used for the same purpose, and for the manufacture of low grade synthetic gin. A number of the big still operators have paid weekly sums regularly to prohibition officers over a long period. Recent indictments of a number of prohibition officers and the arrest of a number of alcohol diverters, has made no difference apparently in the operations of the small still owners.

No men of importance in the Buffalo bootleg picture have any financial interest in commercialized prostitution.

All houses of prostitution in the city, from the low dives of the negro district, to the handsomely appointed apartment in the upper residential districts, sell liquor, but the proprietors buy di-

rectly from distributors, the latter having no interest in the places. One man, who plays quite heavily in the bootleg industry, is the proprietor of a night club, but it is an ordinary cabaret of the character so popular ten or twelve years ago and has nothing to do with commercialized prostitution.

Bootlegging and gambling do play an important part in the city's political structure. Big bootleggers and politicians are in complete harmony and inasmuch as the bootleggers are in a position to make very large campaign contributions and to fatten the bank rolls of the politically strong throughout the year, their friendship is really courted. Then, too, it must be remembered that Buffalo at a recent election voted three to one for the return of beer, and the politicians close to the people believe that in giving encouragement to bootleg interests they are really pleasing a large majority of the local voters. Attacks by the prohibition authorities on the beer industry seem to be resented by a large part of the city's population.

Gambling plays a strong political hand. Gamblers are active in each campaign and pay big political contributions. That is not an outgrowth of prohibition conditions, but has existed for years.

Aside from a few killings of low class gangsters, Buffalo's crime situation has not been materially affected by prohibition.

There are at present more saloons in Buffalo than at any time in the history of the city. By saloon is meant open places where beer and hard liquor may be purchased, and many of them are hang-outs for youths who lean to crime as means of easy money and soft living.

However, there are no big gangs in Buffalo to draw profit from bootleg groups. Big gangs are central in New York and Chicago and of course have scouts and "spot" men in Buffalo but never permit their chief operating organizations to show here unless for the purpose of swinging some big planned robbery. In that event the "spot" man takes no part and is usually out of town on the day the job was done.

Crime in Buffalo has been strengthened to the extent of making large sums of money available for criminals in the case of trouble with the police. Many liquor distributors today are former small time criminals and having ridden into what they regard as the big money class by way of the bootleg road, they are quick to aid known thieves by advancing bail and "mouthpiece" money. Big bootleggers, such as importers and wholesale distributors, shun the criminal. Conditions so far in Buffalo have not made necessary the hiring of gunmen for purposes of protection.

In regard to the city of *New York*, the symposium yielded little information, there apparently being a decided reluctance on the part of the officials to give out any information. The operation of the Baumes Laws, and especially the so-called "Fourth Offender Act" has undoubtedly put a curb upon the operations of professional criminals. The old gangs, such as Monk Eastman's crowd of thugs, the Hudson Dusters, the Little Augies, the Arson Gang, the Aspirin Gang, and the gangs of Greenwich Village and Harlem, it is claimed, have been effectively broken up and the members scattered. There is no state prohibition enforcement act and it would be fruitless to attempt

any elaboration upon the fact that there is a decided hostility to the Eighteenth Amendment and the laws enacted thereunder upon the part of the people of the city of New York. It is inevitable that this overwhelming sentiment should be reflected in the course of the officials with respect to the enforcement of the Federal Amendment and Laws. The federal officials have unquestionably been hampered in their attempts to enforce the amendment in that city, as has been evidenced conclusively by many public statements of the officials themselves. The series of copyrighted articles by Major Chester B. Mills, formerly prohibition administrator of the Second Federal District, published by Collier's the latter part of 1927, depict in detail the difficulties which were then being thrown in the way of federal enforcement in that city and state. Those articles show an amazing condition of wholesale violations, graft and corruption participated in by state and federal officials, many of whom were prominent in state and national politics. It was shown that many of those appointed to positions in the Prohibition Enforcement Unit were ex-convicts and thugs and that in many instances their records were well known, but they were nevertheless appointed, upon the recommendation of politicians who were themselves in league with bootleggers and used their appointees to carry out their plans of wholesale violations of the Volstead Act. And it was further charged by Major Mills that the then head of the Department of Prohibition Enforcement was many times advised of the true facts, but seemed utterly helpless in the face of threats of political reprisals if any action were taken to enforce the law and punish the grafters on the staff. That some low salaried prohibition enforcement officials waxed rich by graft, purchasing expensive motor cars, private yachts, and luxurious homes was charged by Major Mills, who gave the names of those who were guilty and outlined in great detail the nature of official pressure which was exerted to keep those crooks in the department. "This condition is not local. The party in power at Washington had to make the most of prohibition patronage where it had no other. This is typical of the folly and rottenness that politics has brought about in prohibition enforcement—as every District Administrator knows," is one of the significant statements in these articles. That similar conditions have

existed in other parts of the country as well as in New York is well known to every observer. Reports within the past two weeks indicate that the gang situation in New York has recently become more acute than has been the case for several years, but that the problem is a little different than formerly, in that it is now being characterized by gang murders such as have been prevalent in Chicago and other cities, and seems to be directly attributable to the traffic in intoxicating liquors. Several such murders have recently been committed. The situation is summed up in a press dispatch from New York, commenting upon one of these killings, appearing in the *Chicago Tribune* on May 23, 1928:

A few years ago a killing like this (referring to the death of a notorious gangster) would have brought reprisals before now, but the codes of the gang world are changing.

Hi-jacking, as well as the automobile, make lone workers, and the gang forces today are scattered among the 15,000 or 20,000 speak-easies of New York. Another disintegrating force has been the rapid change in the city itself. Higher property values have forced the displacement of slums and both the lower east and west sides, once crime-breeding areas, are swiftly being made over.

The police do not find, however, that a millenium of law and order has followed the scattering of the old gangs. Commissioner Warren's report on crimes of violence for the first quarter of the year was sufficiently disquieting in this regard. As in many other large cities, the change has been marked in the development of a new generation of criminals, frequently drug addicts, using automobiles and out for bigger stakes, but no longer having use for such roaring organizations as the Roach Guards, the Plug Uglies, the Shirt Tails or the Dead Rabbits.

While the change has brought possibly an even more dangerous type of criminal, it has greatly weakened the influence of criminals in the political underworld.

At the moment this is written there are reports of unusual agitation among the citizens of New York, shared in by some of the prosecutors calling upon the police department to suppress the activities of bootlegger organizations which, it is claimed, have been responsible for several gun murders committed in broad daylight upon the public streets. The situation is being likened by these complainants to that existing in Chicago. In fact there has been an attempt upon the part of the police of New York to fasten these recent crimes upon Chicago's king of bootleggers, who has established a residence in Miami, Florida, on the theory that they were ordered as a part of a gigantic scheme for rum smuggling and distribution through southern and eastern ports.

From *Minnesota* comes a report from a state official in St. Paul, stating that crime has apparently increased during the past seven or eight years, but the increase consists largely of offenses committed by bootleggers in the pursuit of their illicit trade. He says, "I think that the only branch of organized crime that has been strengthened is that engaged in fighting the liquor laws, and that the strengthening of that branch is due to the tremendous profits that are possible." These organizations interest themselves in elections to the extent of attempting to put in office persons whom they think useful, but not to the extent of controlling elections.

That the crime situation in its relation to the liquor laws is not confined in that state to the large cities is evidenced by the fact of reports from the villages of *Orr* and *Cusson, Minnesota*, in the north woods near the Canadian border, in June of this year, which state that thugs have instituted a reign of terror in which two murders were committed recently as the culmination of two years of lawlessness in that community. A committee of citizens reported to the Governor that "seventy-five dealers in illegal liquors, drugs, and women are operating almost without interruption or interference of the law and have brought about a condition which no longer can be tolerated," and they pointed to the fact that "within the past two years more than twenty murders had been committed due to these activities. The wanton assault and murder of the aged Mrs. Brown has so terrorized the community that women and children are afraid for their lives even in their own homes."

From *North Carolina* comes this report by a state official at Raleigh:

There are indications throughout the state that there are organizations of criminals for the manufacture and distribution of intoxicating liquors. Generally speaking, the members of these organizations are not ordinary criminals and so are not identified with pickpockets, fences, gambling, or any form of commercialized vice except that in which they are engaged. Their crimes are crimes of violence, though the larceny of automobiles figures in their plans. Before the ratification of the Eighteenth Amendment and the enactment of the Volstead Act, the manufacture of illicit liquor was, generally speaking, confined to particular parts of the state almost invariably west of the state capitol, Raleigh. Since national prohibition, this manufacture is carried on very largely in the part of the state east of Raleigh. Formerly backwoods and mountains were the hiding places for this illicit manufacture. Now it is not only con-

ducted in such localities but nearly every swamp in eastern North Carolina is utilized for that purpose. Speaking generally, then, we have in North Carolina no organized crime except among those engaged in illicit liquor traffic. Including in the designation of criminals all those who manufacture, deal in or purchase illicit liquors, we think that such criminal class does not play any significant part in the political affairs of the state.

A prominent publisher, of *Akron, Ohio*, makes this statement, based upon a decade of observation in that city:

There is organized crime in Akron. The degree of organization is becoming a little greater each year but it still is rather loose. There is considerable factionalism in the underworld. There are rival bootleg gangs, rival dope peddling organizations, rival gambling cliques and rival interests operating in the "red light" district. There is no serious gang warfare due to the fact that the leadership of these various gangs does not lean very strongly toward murder or other violence. This is purely a matter of personnel. It is a fact that the gamblers at one time armed themselves with machine guns and other equipment considered up to date in such gang centers as Chicago but there was no actual outbreak due to the fact that a courageous prosecutor nipped the plan in its early stage. . . . Liquor, gambling and commercialized prostitution are conducted by the same general groups. The effect of national prohibition upon the crime situation of this city has been pronounced. It is giving denizens of the underworld a contact with the respectable, stable elements of society. Thus these desirable elements have been personally involved and their potency has been materially reduced. In their hearts responsible voters of this city do not sanction wholesale violations of the Volstead Act. But they do not carry their convictions to the point where they will refrain from patronizing racketeers of the bootleg school. Organized vice does play a significant part in the political affairs of this city. Those seeking office in many instances enter into deals with the underworld leaders. In some cases officials charged with the enforcement of law have accepted financial support from gangsters. Contributions of professional gamblers to political campaigns are well covered up but I am convinced they exist. The same influences interfere with the processes of administering justice.

From *Columbus, Ohio*, it is reported that liquor, gambling and commercialized prostitution in the opinion of the correspondent are largely conducted by the same persons, but that national prohibition has had no effect upon the crime situation in the city except to increase crime in the matter of liquor law violations. It is said that a healthy public sentiment has been developed against violations of the Volstead and state laws and that as a rule men of character and unquestioned integrity are elected to fill city and county offices, and that consequently the forces of organized crime do not have much of an opportunity to develop.

An interesting statement made by a high city official was received from *Toledo, Ohio*. He says:

It is true that in Toledo as in many other cities, liquor, gambling, and commercialized prostitution are conducted largely by the same persons. According to the officials of the police department, national prohibition has brought about the commitment of more base crimes. They say that because so much of the liquor is poison that many of the criminals are more vicious in their acts; whereas, in the day of the saloon, the criminal, while filled with booze, was not poisoned, and in better control of his faculties. Whether this contention is true, I cannot myself give an opinion. . . . It is not our experience that organized crime has been strengthened so that major crimes have been increased in Toledo as a result of the profits made in the illicit liquor trade. Organized vice has played a rather significant part in the political affairs of this city in the past years. In the last mayoral campaign, evidence was produced and it was proved in court that one of the political parties illegally registered hundreds of persons in the down-town ward in which most of the places of vice are centralized. . . . The question of vice was the most important issue in the mayoral campaign and the successful candidate was openly opposed to vice and promised if elected to do his best to wipe it out of the city. . . . It is my belief that some of the judges of the municipal court play to the under-world crowd, in fact, one judge stated to me that inasmuch as the under-world controlled about fifteen thousand votes in this city, he, in order to be elected, must favor that group in the administration of criminal justice.

A number of reports were received from *Cincinnati, Ohio*, from officials and publishers. One of the officials says there are local organizations for the distribution of intoxicating liquors and there is probably combined commercial operation in gambling, liquor, and drug traffic and prostitution in the congested negro quarters. Organized crime in his opinion has been strengthened and major crimes have increased at least in new modes of expression since prohibition, and it has been his observation of organized vice, bootlegging, etc., that they do insure some measure of immunity through political indulgence to gambling, traffic in illicit liquor, and more or less vice indulgence, and the same influences, through bribing jurors and perhaps working on official indulgence, sometimes impede or hamper the achievements of the ends of justice, but there is no evidence of a corrupt judiciary.

Another says:

There certainly are organizations for the manufacture and distribution of intoxicating liquor, but I do not believe that they are connected with gambling and commercialized prostitution, although they are frequently found together. I would say that the citizens of Cincinnati are likely to close their eyes to the connection between bootleg killings, amounting to 8 or 9 in 1927, and the illicit dis-

tribution of liquor. Certainly it has proved almost impossible in this city to convict bootleggers for killing each other.

The influence of organized vice in Cincinnati has played a very significant part in political affairs in the past. It has exercised a pernicious control in the processes of the police court and to a somewhat lesser degree in the processes of the sheriff's office. They also interfere with the process of administering justice in major crimes, by the intimidation of witnesses for the protection of members of the gang.

This report comes from *Cleveland, Ohio*, from an official source: "I am satisfied that there are cliques of individuals working together in the manufacture and distribution of liquor. Many of these are residents of this city, but obtain their goods from outside sources, or manufacture the liquor in localities outside of the city. It is frequently found that members of a family or a number of relatives have engaged in business together for the unlawful manufacture and sale of liquor. 3577 arrests were made for violations of the liquor laws in this city in 1927. 3081 were charged with violation of the State Law and 496 with violating the National Prohibition Law. . . . Vigorous campaigns against commercialized gambling for years has virtually wiped out all forms of gambling here." Eight of the 86 murders reported there last year, it is said, would appear to be the result of liquor feuds traceable to the rivalry in this unlawful business. Outside of those crimes, if there is any increase of criminality, due to the prohibition laws, that increase is what is created by such prohibition. In other words the violations are of the prohibition law itself. The only other increase would be the increase caused by the bootleg feuds referred to above.

A federal official from *Oklahoma City, Oklahoma*, says:

We do not have, as far as I know, what you would call the professional criminal, the place is too small for that, although we have persistent law violators such as whiskey peddlers and second offenders. There was a whiskey ring here for about six months but we convicted the four leaders of attempting to bribe prohibition officers, each of which was given a sentence of eight years, from which they appealed, but the gang was broken up. We have hundreds of prohibition cases yearly. These prohibition offenders first deal in liquor, then dope, then steal cars, and then robberies and other crimes.

From the *State of Pennsylvania* very complete reports were had from Pittsburgh, but from no other city. An official has this to say:

There are very definite organizations in this district for the manufacture and distribution of intoxicating liquors and in every large community there is commercialized gambling. Beginning on the

9th of May and continuing for five weeks, a very extensive grand jury investigation was conducted, going into the activities of bootleggers in the city of Pittsburgh, as a result of which investigation 167 individuals were indicted for various offenses, principally conspiracy to violate the National Prohibition Act. Two of the defendants indicted were members of the lower House of the Pennsylvania Legislature and there were a total of about fifteen police lieutenants and the superintendent of police himself was also indicted. More than a thousand petty bootleggers who were in the retail business of selling liquor were brought before the jury, and it was largely upon their evidence that the indictments charging the defendants with trafficking in liquor under police protection were brought. This shows how certain officers of the police department of the city of Pittsburgh were keeping up this nefarious business. The stuff which was being sold was the vilest kind of moonshine liquor and little, if any, good liquor was being sold. The enforcement of the prohibition law in a great metropolitan center such as we have in Allegheny County, is practically dependent upon an honest police department. The indications are conclusive that petty bootleggers have been closed for a week or two weeks or a month as a penalty for having cheated the authorized vendor of liquor by buying from some other source at a lower price, and our conclusion is that the only thing is character and an honest desire on the part of the executives to enforce this law, coupled with an intelligent selection of officers upon whom the responsibility and the conviction end rests, in order to secure even better enforcement of this law than of other laws. There is a very bad situation in Pittsburgh at the present time, in that during the past year and a half at least twenty-five murders have been committed by members of various bootlegger gangs. These gangs are also engaged in other violations of the law. They stage holdups, traffic in women and narcotics, commit many of the nasty offenses, and some of them go to the length of committing murder for money. Because of the connivance of various officers of the police department in violations of the gambling laws and of the prohibition law, the police department of the city of Pittsburgh has been helpless against the depredations of this crowd. It is my firm belief that one honest, intelligent, experienced man at the head of the police department would be able to straighten out the situation in a few months. Criminals are cowards and they are almost invariably of low mentality. It might be feasible for the American Bar Association to father the collation and publication of a history of a considerable number of crimes which have been ferreted out in the last ten or fifteen years under modern or nearly modern conditions, a more or less comprehensive case book which could be used for the instruction of police officers.

The Bar Association naturally cannot formulate a plan for enforcing honesty, but trained intelligence usually carries with it integrity and the training suggested will undoubtedly lead to very much higher grade of employees in the enforcement offices. The need is not for more men, but better men; not for more money, but for honesty; not for complicated regulations, but for simple, plain and forceful application of the present laws.

From *Providence, Rhode Island*, comes the following statement from a prominent public official in close touch with the administration of the laws and the operations of criminals:

As in nearly every state in the Union, there are in Rhode Island, gangs of men who manufacture and distribute intoxicating liquors,

but there is a certain sense of respectability in their activities and hardly any publicity or notoriety is achieved. Once in a while their activities are broken up by raids in which buildings and equipment are confiscated. Raids are made daily in this city on kitchen bar rooms. A hi-jacking gang had great success for a while, but most of its members were killed by each other and some of the remainder received prison sentences for other felonies committed. There has been none of the thug type of distributing gangs operating in this state for some time, such as operate in other parts of the country. National prohibition has brought on a tendency in this city and state to organize larger and older gangs of men, who go out with their trucks and machines and steal the contents of a store or move a safe if there is a lull in the liquor business. The money obtained from crime committed in this city would not pay the gangs, but it makes a side income that helps out considerably in connection with the liquor traffic. Before prohibition most of the gangs were between the ages of 17 and 24, but since then the ages range from 17 to 40, with most of them between 25 and 35. These persons are immune to police interrogation, because by the time they reach this age they have been in contact with the police and lawyers and have learned to say nothing, whereas the younger type is more emotional and generally talks about things. There is no doubt but that gangs organized to traffic in liquors have made numerous forays into respectable business establishments of the smaller type in order to eke out their income, and that such crimes have been on the increase since prohibition in this city, as well as in other cities, over those of pre-prohibition days. There is no doubt but what such gangs would not be organized in this state except for prohibition, from which they obtain their main support.

From *Charleston, South Carolina*, it is stated by a federal official:

Occasionally we apprehend a combination who are attempting to import alcoholic beverages in violation of the Tariff Act and the National Prohibition Act. We have found that in practically all cases these individuals are non-residents of the State of South Carolina. . . . The use of intoxicating liquors has become more widespread since national prohibition and for that reason crimes caused through the use of intoxicating liquors have increased. It has also caused a wider class of persons to become law violators. . . . It is more difficult to obtain a conviction in a whiskey case than in other cases. We frequently find jurors who would not convict in a whiskey case under any circumstances. There is no doubt whatever that you have to have a much stronger case under the National Prohibition Act to convict under that Act than you have to have for the violation of any other law.

The following statement was made by a high official in the city government in *Memphis, Tennessee*:

The manufacture and distribution of intoxicating liquors is confined principally to the Italian element in the city of Memphis, but under no directing head. Prohibition appears to have increased drinking among women, girls, and boys, and a number of passion crimes committed in this city and adjacent territory are traceable to liquor, as well as petty hold-ups and other crimes by youths while under the influence of liquor. It must be said, however, that the

wage-earner has profited by the enactment of the prohibition amendment. The economic influence is felt all over our city and certainly in the betterment of home and living conditions.

The situation in *Fort Worth, Texas*, as described by a prominent official of that city is that there are occasional local organizations for manufacture and distribution of intoxicating liquors, and the handling of liquor and gambling are conducted very frequently by the same persons. This statement is made:

Certainly in many instances, if not the greater portion of liquor violations, that is the operation of stills and transportations of liquor, are financed and highly organized, and gunmen and thugs are used by those financing the business.

From *Dallas, Texas*, a statement is made by a prominent publisher, intimately in touch with local conditions, who writes as follows:

The city and county of Dallas were dry under local option, that is by the votes of the people, two years before federal prohibition became effective and with good results. The fact is that drinking had become rather unpopular and the saloon business unprofitable when Dallas County put an end to the traffic. Such liquor sales as we have are generally conducted independently from gambling and prostitution and there are no "rings" of importance. Prohibition has cut down the amount of crime here. Dallas people do not sanction gunmen running liquor and the liquor trade has not strengthened crime financially, nor are the politics or the administration of justice influenced to any noticeable extent by those who violate the liquor laws.

The following statement was made by a state official of *Utah*:

I do not know of any organizations of criminals in this state for any of the purposes mentioned in the questionnaire; unless it might be there is an organization for the manufacture and distribution of intoxicating liquor, and the only manner in which the forces of organized crime have been strengthened as the results of profits made in the liquor trade, might be that those engaged in bootlegging and commercialized vice might have been strengthened by such profits.

The following is offered by a public official of six years' experience in criminal law administration in the city of *Seattle, Washington*:

I believe there most certainly are organizations for the manufacture and distributing of intoxicating liquors in this city. The authorities are continuously breaking in on the members of these organizations, and prosecutions in both the state and federal courts show that they exist, are well organized, and have all forms of protection, even including that of subsidizing the unscrupulous law enforcement officer. However, speaking for our community, this form of protection is becoming quite scarce. We have for nearly two years

had a police department, the directing heads of which have bent every effort to break such organizations and bring the culprits to justice. We also have at this time and for nearly one and a half years past, a sheriff who is most efficient, conscientious, energetic, and effective in fighting such organizations. The federal officers are diligent. . . . In this connection, I have observed that juries convict much more readily even on felony charges under the liquor law than they have in previous years, indicating that public sentiment is growing stronger for the enforcement of such laws. Nevertheless, organizations of offenders of this kind are, I feel, stronger than any other form of law violation. . . . With certain qualifications I would say that liquor, gambling, and commercialized prostitution are conducted largely by the same persons in this community. The ordinary gambling house bars prostitution and usually intoxicating liquor, for the reason that it is easier to obtain the evidence in liquor prosecutions than it is in gambling, and the vice of prostitution detracts from the profits of gambling. In certain cases, liquor dealers who cater to a certain class of trade do not mix with the vice of prostitution. Yet, wherever prostitution exists you will find close at hand the liquor dealer and occasionally the gambler. . . . The question of what effect national prohibition has had upon the crime situation in the community is, of course, a moot one. . . . The writer believes that national prohibition has been of great assistance in enforcing state prohibition in this state, which existed for several years before the adoption of the Eighteenth Amendment and the Volstead Act. . . . I believe the answer to your question as to whether or not crime has been increased in this community as a result of the profits made in the illicit liquor trade must be in the negative. True, a number of murders have been committed as a result of hi-jacking expeditions and most every sensational robbery can in some manner be traced to the liquor joint as the place of conception. However, murders that formerly resulted from brawls in saloons have been minimized almost to the point of elimination and robbers could stimulate their nerves by liquor obtained with the sanction of the law as well as by that obtained in spite of the law. . . . I believe that the influence of organized vice does play a significant part in the political affairs of this city and it is there that the organization of bootlegging, gambling, and prostitution has its most injurious effect. I believe, too, that such organizations usually endeavor to remain distinct in the operation of their enterprises, but always pool their efforts in a common cause. They must, of course, necessarily work under cover and masquerade in a cloak of virtue, because the overwhelming majority of the people are against them and will act effectively if they have any well-grounded suspicion of the vice elements' activity. Nevertheless, realizing as they do that they cannot operate effectively without some measure of encouragement at least on the part of authorities, they are always diligent in their political activities, while the average citizen is usually indifferent. The same influences are constantly interfering in the administration of justice. Their methods and courses of procedure are so numerous and are of such a nature that they cannot be related or even adequately discussed here, but their influence is the common enemy against which all law enforcement agencies must be in constant and continuous warfare.

The state agencies of *Wisconsin* have a good system of collecting criminal statistics, but in gathering these statistics no

information is compiled concerning the nature of crimes or whether they have been committed by professional criminals, so it was quite impossible to get, through the state agencies, complete data requested on the operations of professional criminals. However, from the city of Milwaukee was received a report from an official, having close contact with the administration of the criminal laws in that city, stating that of the eleven murders committed in that city in 1927, not one was perpetrated by a professional criminal, all having been committed in the heat of passion, most of which were the result of family discords. The vagrancy law in Milwaukee is rigidly enforced, permitting the police to arrest all persons who have no visible means of support or who cannot give a satisfactory account of themselves, and this has resulted in discouraging professional criminals from remaining in the city any great length of time. An efficient police department keeps gambling and prostitution confined to periodical activities of disassociated persons in the community. This official says: "Just what effect national prohibition has had on the crime situation in the city of Milwaukee can hardly be adequately answered with the support of statistics. There was a decrease in the commission of crimes of violence in 1927, namely, robbery and murder, over 1926. However, I am attaching a list of arrests made for drunkenness, drunk and disorderly, and common drunk, from the year 1910 to 1927, which shows an increase each year from 1921 on, which may be of some significance. The increase in arrests for these offenses may be due to increased efficiency and activity on the part of the police. I do not believe that crimes of violence committed in Milwaukee have any connection with national prohibition for the reason that we have no organization of criminals here who employ gunmen to carry on their business. It is a well-established fact that the city of Milwaukee is free from organized crime and that the public here does not sanction the wholesale manufacture and distribution of liquor by organizations of criminals employing gunmen and thugs to carry on that business. Any traffic in liquor is mostly conducted by disassociated individuals with little public standing or influence." The community as a whole is strongly opposed to the prohibition laws, but it is essentially a law-abiding community and the administration of justice is carried on there

with probably more certainty and dispatch and with better results than any city of its size in the country. Notwithstanding this fact, the situation in Milwaukee is somewhat similar to that which exists in Baltimore, in that there is apparently little effort on the part of the local authorities to suppress the ordinary traffic in intoxicating liquors. As in St. Louis, a great deal of liquor manufacturing is done in the homes. That there is general non-observance in some public places is well illustrated by the fact that only within the last few days one of the larger hotels was closed under a padlock order of the United States District Court, upon a showing that liquor was freely dispensed in that hostelry with the knowledge and consent of the management. The statistics referred to show that there has been a substantial increase in arrests for drunkenness and that the number arrested for that offense in 1927 was greater than at any time since 1910, being six times the number in 1920.

From *Kenosha County, Wisconsin*, located between Chicago and Milwaukee, it is reported that since December, 1927, thirty houses have been padlocked as a result of bootlegging activities therein. The home of the district attorney of that county was recently bombed and his life endangered, which attack was ascribed by the official as coming from the organization of bootleggers, the members of which he had been prosecuting.

From *Cheyenne, Wyoming*, it is reported by a federal official:

It is true in this city that liquor, gambling, and commercialized prostitution are conducted largely by the same persons and the business of manufacturing and distributing intoxicating liquors is organized. I believe, however, that national prohibition has decreased to a considerable extent the crime situation in this city, outside, of course, of the violation of the prohibition act itself. . . . The influence of organized vice, bootlegging, gambling, and prostitution does play a significant part in the political affairs of the city, inasmuch as two candidates or sets of candidates for city office, each picked from the business and professional men of the city, vie with each other for the support of the bootlegging, gambling, and prostitution elements, and the one receiving the support of such elements is generally elected, the reason being that they usually vote to a man for their candidate, while the voting of the better element of the city is divided amongst the several candidates. This would not be the case if the lawbreaking element attempted to run one of its own number for city office, but that is not done.

The symposium yielded a surprising number and variety of suggestions for dealing with organized criminals, and especially

with those who are organized for the purpose of violating the prohibition laws. Space forbids a detailed recital of all of such recommendations. Briefly they may be summed up as emphasizing the necessity for incorruptible police and prosecuting officials and a determined effort upon the part of federal and local authorities to enforce the laws.

From what has hereinbefore been stated, the following conclusions seem to be fairly well justified:

1. That crimes being committed by professional criminals constitute a large proportion of major crimes of the urban communities of the country.

2. That in a large majority of cities of one hundred thousand inhabitants and over, the forces of organized crime have not been materially strengthened or affected by the prohibition amendment, although in practically every one of these communities the sentiment of the people is for the most part opposed to the enforcement of those laws and there is more or less indiscriminate trafficking in intoxicating liquors in violation of the law.

3. That in many of the larger cities organizations of criminals are mainly financed by the profits of bootlegging; that the gunmen thugs and bombers used by these organizations to prevent attack of hi-jackers and to suppress competition are often used for purposes of extortion and to influence elections by terrorism and that many murders, hold-ups, and other major crimes are committed by them.

4. That the profits of bootlegging are often used to bribe public officials and to purchase protection from corrupt politicians.

5. That such alliances between crime and politics, result in breaking down the enforcement of all laws and the administration of justice.

6. That wherever these conditions exist there is a tendency toward disrespect for all law and a growing skepticism concerning the integrity of all public officials.

7. That the enormous profits derived from the bootleg industry, being unlawful and therefore considered legitimate prey, have excited the cupidity of politicians and state and government officials generally to such an extent that bribery and corruption has become of common occurrence. Therein is found the real problem of crime and failures of justice in many parts of the country.

The following are suggested as recommendations naturally emerging from a reasonable consideration of the facts of the foregoing report:

1. Organize bureaus of criminal statistics and identification to provide more adequate means of determining who are habitual offenders.

2. Habitual offenders should be permanently confined.

3. Enforce the prohibition amendment and laws or repeal them. The bootlegger, the rum runner, the gangster, the hi-jacker, the bribe giver and the bribe taker, and all of the other products of non-enforcement must be suppressed if orderly government under the law is to be restored.

4. A vigilant and informed public must insist upon honesty in their officials.

5. Assuming honesty in police officials, better methods of detecting and apprehending criminals must be devised to cope with the armed professional criminal having the use of high powered automobiles and hard roads.

6. Business and professional men should back up the efforts of local and national movements to curb the ever increasing activities of the receiver of stolen and fraudulently converted goods.

7. This Section should continue its investigations and bring another report to the annual meeting in 1929.

In conclusion it is submitted with respect to the situation created by the prohibition laws and the non-observance and non-enforcement thereof, that the President of the United States has in a few words given to the country a formula which, if adhered to, will do more to solve the problems presented in such a picturesque way by the contributors to the foregoing symposium than anything else that could be devised, when he said: "It (the Amendment) imposes upon the citizens of the country and especially upon all public officials, not only the duty to enforce but the obligations to observe the sanctity of this constitutional provision and its resulting laws. If this condition could be secured, all questions concerning prohibition would cease."

Respectfully submitted,

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